

# **Exhibit 6**

## **A-E**

# **Exhibit 6-A**

**CONFIDENTIAL**

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13 *Toshiba Corporation*

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)  
18 ANTITRUST LITIGATION

19 Case No. 07-5944 SC  
20 MDL No. 1917

21 This Document Relates to:

22 ALL INDIRECT PURCHASER ACTIONS

23 **TOSHIBA CORPORATION'S**  
24 **OBJECTIONS AND RESPONSES**  
25 **TO INDIRECT PURCHASER**  
26 **PLAINTIFFS' FIRST SET OF**  
27 **INTERROGATORIES TO**  
28 **TOSHIBA DEFENDANTS**

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's  
2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court  
3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba Corporation  
4 ("Toshiba Corp.") hereby submits the following Objections and Responses to Indirect  
5 Purchaser Plaintiffs' First Set of Interrogatories to Toshiba Defendants, dated August 1, 2014  
6 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the  
8 above caption. Each response is subject to all objections as to relevance, materiality and  
9 admissibility, and to any and all objections on any ground that would require exclusion of any  
10 response if it were introduced in court. All evidentiary objections and grounds are expressly  
11 reserved.

12 Each of the following responses is made on the basis of the information available at  
13 the time of service of the responses. Toshiba Corp.'s responses to these Interrogatories are  
14 subject to the provisions of the Stipulated Protective Order that the Court issued on June 18,  
15 2008 (the "Protective Order"). Toshiba Corp.'s responses are hereby designated  
16 "Confidential" in accordance with the provisions of the Protective Order.

### **GENERAL OBJECTIONS**

17  
18 1. Toshiba Corp. objects to the Interrogatories, including the Definitions and  
19 Instructions provided therein, to the extent they contravene the April 3, 2012 Order re  
20 Discovery and Case Management Protocol, Docket number 1128 in the MDL.

21 2. Toshiba Corp. objects to the Interrogatories, including the Definitions and  
22 Instructions provided therein, to the extent they purport to impose obligations beyond those  
23 required or permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice  
24 in Civil Proceedings before the United States District Court for the Northern District of  
25 California or to the extent it is outside the scope of any order or opinion of this Court.

26 3. Toshiba Corp. objects to the Interrogatories, including the Definitions and  
27 Instructions provided therein, to the extent they call for the production of documents or  
28 information that relate to matters not raised by the pleadings, to the extent they are not

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1 material and necessary to the prosecution or defense of this action, and to the extent they are  
2 not reasonably calculated to lead to the discovery of admissible evidence.

3 4. Toshiba Corp. objects to the Interrogatories, including the Definitions and  
4 Instructions provided therein, to the extent that they are overly broad, unduly burdensome,  
5 vague, or ambiguous. Toshiba Corp. further objects to the Interrogatories, including the  
6 Definitions and Instructions provided therein, to the extent they purport to seek discovery of  
7 information from disaster recovery systems and archives.

8 5. Toshiba Corp. objects to the Interrogatories, including the Definitions and  
9 Instructions provided therein, to the extent they state and/or call for legal conclusions and/or  
10 admissions.

11 6. Toshiba Corp. objects to the Interrogatories, including the Definitions and  
12 Instructions provided therein, to the extent they call for publicly available information.

13 7. Toshiba Corp. objects to the Interrogatories, including the Definitions and  
14 Instructions provided therein, to the extent they seek information or documents protected by  
15 the attorney-client privilege, attorney work-product doctrine or any other applicable privilege,  
16 protection, immunity, or rule (collectively, "Privileged Information"). Toshiba Corp. will not  
17 disclose any Privileged Information in response to any Interrogatory. Toshiba Corp. does not  
18 intend by these Objections and Responses to waive any claim of privilege or immunity. Any  
19 inadvertent production of such material or information is not intended to, and shall not,  
20 constitute a general or specific waiver in whole or in part of those privileges or protections as  
21 to material or information inadvertently produced or the subject matter thereof. Nor is any  
22 inadvertent production intended to, nor shall it, constitute a waiver of the right to object to any  
23 use of such document or information.

24 8. Toshiba Corp. objects to the Interrogatories, including the Definitions and  
25 Instructions provided therein, to the extent they seek information, the disclosure of which  
26 would violate applicable law, including, but not limited to, privacy laws. In providing any  
27 response, Toshiba Corp. does so only to the extent allowable under applicable law.  
28

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1           9.       Toshiba Corp. objects to the Interrogatories, including the Definitions and  
2 Instructions provided therein, to the extent they seek confidential, proprietary, or trade secret  
3 information.

4           10.       Toshiba Corp. objects to the Interrogatories, including the Definitions and  
5 Instructions provided therein, to the extent they seek documents or information, the disclosure  
6 of which is prohibited by contractual obligations or agreements between Toshiba Corp. and  
7 third parties.

8           11.       Toshiba Corp. objects to the Interrogatories, including the Definitions and  
9 Instructions provided therein, to the extent they are oppressive or constitute an abuse of  
10 process in light of the costs imposed on Toshiba Corp. weighed against the Plaintiffs' need for  
11 the information.

12           12.       Toshiba Corp. objects to the Interrogatories, including the Definitions and  
13 Instructions provided therein, to the extent they seek information which is equally accessible  
14 to Plaintiffs as to Toshiba Corp., or which has already been produced by other parties.

15           13.       Toshiba Corp. objects to the Interrogatories, including the Definitions and  
16 Instructions provided therein, to the extent they seek information, the disclosure of which is  
17 prohibited by law, regulation, or order of a court or another authority of the foreign  
18 jurisdiction in which the documents or information are located.

19           14.       Toshiba Corp. objects to the Interrogatories, including the Definitions and  
20 Instructions provided therein, to the extent they seek disclosure of documents or information  
21 that is not within Toshiba Corp.'s possession, custody, or control.

22           15.       Toshiba Corp. objects to the Interrogatories, including the Definitions and  
23 Instructions provided therein, to the extent they are cumulative to or duplicative of other  
24 Interrogatories or Document Requests.

25           16.       Toshiba Corp. objects to the Interrogatories pursuant to Civil L.R. 33-2, which  
26 states that "a demand that a party set forth the basis for a denial of an admission requested  
27 under Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and  
28 is allowable only to the extent that a party is entitled to propound additional interrogatories."

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1           17.     Toshiba Corp. objects to the Interrogatories pursuant to Rule 33(a)(1), which  
2 limits the number of interrogatories that may be served by one party on another party to 25  
3 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
4 interrogatory limit of Rule 33(a)(1).

5           18.     Toshiba Corp.'s response to the Interrogatories is not intended to be, and shall  
6 not be construed as, an agreement or concurrence by Toshiba Corp. with the Plaintiffs'  
7 characterization of any facts, circumstances, or legal obligations. Toshiba Corp. reserves the  
8 right to contest any such characterization. Toshiba Corp. further objects to the Interrogatories  
9 to the extent they contain express or implied assumptions of fact or law with respect to  
10 matters at issue in the case.

11           19.     Toshiba Corp. objects to the definition of "you" and "your" because it is vague,  
12 overly broad and unduly burdensome, as it includes persons not controlled by Toshiba Corp.,  
13 and as it seeks information that is neither relevant nor reasonably calculated to lead to the  
14 discovery of admissible information and, in addition, improperly purports to seek information  
15 from distinct corporate entities and persons not parties to the case and not controlled by  
16 Toshiba Corp. Toshiba Corp. will interpret these terms to refer to Toshiba Corp. only.  
17 Toshiba Corp. further objects to the definition of "you" and "your" to the extent it seeks  
18 information or documents protected by the attorney-client privilege, work product doctrine or  
19 any other applicable privilege, protection, immunity, or rule.

20           20.     Toshiba Corp. objects to the defined term "relevant time period" to the extent  
21 that it exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad,  
22 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of  
23 admissible evidence. Toshiba Corp. also objects to the definition of "relevant time period"  
24 because it is well beyond the relevant statute of limitations. Toshiba Corp. further objects to  
25 the term "relevant time period" to the extent that it seeks documents created after this  
26 litigation began. For the purposes of responding to these Interrogatories, Toshiba Corp. will  
27 interpret the term "relevant time period" as referring to the "class period" defined in the  
28 Complaint, which is March 1, 1995 to November 25, 2007.

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1           21.     Toshiba Corp. objects to the defined terms “subsidiary,” “affiliate,” and “joint  
2 venture” because they are overly broad, unduly burdensome, not relevant and not reasonably  
3 calculated to lead to the discovery of admissible evidence.

4           22.     Toshiba Corp. objects to the defined term “Employee” because it is overly  
5 broad, unduly burdensome, not relevant and not reasonably calculated to lead to the discovery  
6 of admissible evidence. Toshiba Corp. further objects to the defined term “Employee” to the  
7 extent that it seeks information from distinct persons not parties to the case and not controlled  
8 by Toshiba Corp.

9           23.     Discovery is ongoing. This response is being made after reasonable inquiry  
10 into the relevant facts, and is based upon the information presently known to Toshiba Corp.  
11 Further investigation and discovery may result in the identification of additional information  
12 or contentions, and Toshiba Corp. expressly reserves all rights to amend its responses and  
13 objections to Indirect Purchaser Plaintiffs’ First Set of Interrogatories as necessary. Toshiba  
14 Corp.’s responses should not be construed to prejudice its right to conduct further  
15 investigation in this case, or to limit Toshiba Corp.’s use of any additional evidence that may  
16 be developed.

17                   **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

18           **INTERROGATORY NO. 1:**

19           State the name, address, telephone number, and relationship to you of each person  
20 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not  
21 identify anyone who simply typed or reproduced the responses.)

22           **RESPONSE:**

23           In addition to its General Objections listed above, Toshiba Corp. objects to  
24 Interrogatory No. 1 pursuant to Rule 33(a)(1), which limits the number of interrogatories that  
25 may be served by one party on another party to 25 (twenty-five), including discrete  
26 subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).  
27  
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**CONFIDENTIAL****INTERROGATORY NO. 2:**

Identify separately for each year from 2003 to 2009, each of MTPD's board and committees, including (a) its full name; (b) a brief description of its function; and (c) all members of that board or committee.

**RESPONSE:**

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 2 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**INTERROGATORY NO. 3:**

Identify, separately for each year from 2003 to 2009 each of MTPD's corporate officers, including the name of each company (including any subsidiary, affiliate, joint venture or other related entity of Toshiba) that employed such individual throughout the Relevant Time Period, his or her title, business address, the division or unit of the company where such individual worked, and a description of his or her responsibilities for each position or title held.

**RESPONSE:**

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. also objects to Interrogatory No. 3 to the extent it seeks information that is not within Toshiba Corp.'s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to Toshiba Corp.

Toshiba Corp. further objects to Interrogatory No. 3 to the extent that it seeks information beyond the putative class period.

Toshiba Corp. further objects to Interrogatory No. 3 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

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1 Toshiba Corp. further objects to Interrogatory No. 3 on the ground that it is duplicative  
2 of discovery served in this litigation, which is in contravention of the Discovery Protocol,  
3 including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the  
4 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer  
5 Products, L.L.C., Toshiba America Electronic Components, Inc., and Toshiba America  
6 Information Systems, Inc.

7 Toshiba Corp. further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which  
8 limits the number of interrogatories that may be served by one party on another party to 25  
9 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
10 interrogatory limit of Rule 33(a)(1).

11 **INTERROGATORY NO. 4:**

12 Separately for each year from 2003 to 2009, identify those employees who transferred  
13 (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory,  
14 "transferred" means the change of official employment from you to MTPD or vice versa, the  
15 change of work duties or job descriptions for the benefit of the other entity, or the relocation  
16 to a facility occupied exclusively by the other entity.

17 **RESPONSE:**

18 In addition to its General Objections listed above, Toshiba Corp. objects to  
19 Interrogatory No. 4 because it is vague, overly broad, unduly burdensome, and seeks  
20 information that is neither relevant nor reasonably calculated to lead to the discovery of  
21 admissible evidence.

22 Toshiba Corp. also objects to Interrogatory No. 4 to the extent that the term  
23 "transferred" is vague.

24 Toshiba Corp. further objects to Interrogatory No. 4 to the extent that it seeks  
25 information beyond the putative class period.

26 Toshiba Corp. further objects to Interrogatory No. 4 to the extent that it is harassing,  
27 invasive, or seeks personal confidential information, the disclosure of which is prohibited by a  
28

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1 law, regulation, or order of a court or another authority of a foreign jurisdiction in which the  
2 information is located.

3 Toshiba Corp. further objects to Interrogatory No. 4 to the extent it seeks information  
4 that is not within Toshiba Corp.'s possession, custody, or control and because any such  
5 information is equally accessible to the Plaintiffs as to Toshiba Corp.

6 Toshiba Corp. further objects to Interrogatory No. 4 to the extent that it calls for  
7 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

8 Toshiba Corp. further objects to Interrogatory No. 4 on the ground that it is duplicative  
9 of discovery served in this litigation, which is in contravention of the Discovery Protocol,  
10 including Interrogatory No. 10 of IPPs and DPPs' Interrogatories to Defendants Toshiba  
11 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba  
12 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

13 Toshiba Corp. further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which  
14 limits the number of interrogatories that may be served by one party on another party to 25  
15 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
16 interrogatory limit of Rule 33(a)(1).

17 **INTERROGATORY NO. 5:**

18 List the date, nature, and amount of any payments you made from 2003 to 2009 to  
19 individuals who were employed by or worked for MTPD, and describe with specificity  
20 whether such payments occurred directly to the employee, through some social fund or other  
21 entity or governmental program.

22 **RESPONSE:**

23 In addition to its General Objections listed above, Toshiba Corp. objects to  
24 Interrogatory No. 5 because it is vague, overly broad, unduly burdensome, and seeks  
25 information that is neither relevant nor reasonably calculated to lead to the discovery of  
26 admissible evidence.

27 Toshiba Corp. also objects to Interrogatory No. 5 because the term "payment" is  
28 vague.

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1 Toshiba Corp. further objects to Interrogatory No. 5 because the terms “social fund,”  
2 “other entity,” and “governmental program” are vague.

3 Toshiba Corp. further objects to Interrogatory No. 5 to the extent that it seeks  
4 information beyond the putative class period.

5 Toshiba Corp. further objects to Interrogatory No. 5 to the extent that it is harassing,  
6 invasive, or seeks personal confidential information, the disclosure of which is prohibited by a  
7 law, regulation, or order of a court or another authority of a foreign jurisdiction in which the  
8 information is located.

9 Toshiba Corp. further objects to Interrogatory No. 5 to the extent it seeks information  
10 that is not within Toshiba Corp.’s possession, custody, or control and because any such  
11 information is equally accessible to the Plaintiffs as to Toshiba Corp.

12 Toshiba Corp. further objects to Interrogatory No. 5 to the extent that it calls for  
13 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

14 Toshiba Corp. further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which  
15 limits the number of interrogatories that may be served by one party on another party to 25  
16 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
17 interrogatory limit of Rule 33(a)(1).

18 **INTERROGATORY NO. 6:**

19 For every person identified in Interrogatory Nos. 2 and 3, state, for each year from  
20 2003 to 2009, as applicable:

- 21 i. The type or nature of any offered or accepted (a) stock option plan or other equity  
22 incentive plan, (b) bonus or other discretionary periodic payment, and (c) any  
23 other employee benefits; and
- 24 ii. the identity of each individual or company who set, maintained, funded, or  
25 administered his or her (a) payroll, (b) bonus or other discretionary periodic  
26 payment, (c) stock option plan or other equity incentive plan, and (d) and any other  
27 employee benefits.

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**CONFIDENTIAL****RESPONSE:**

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. also objects to Interrogatory No. 6 to the extent that it is harassing, invasive, or seeks personal confidential information, the disclosure of which is prohibited by a law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

Toshiba Corp. further objects to Interrogatory No. 6 to the extent that it seeks information beyond the putative class period.

Toshiba Corp. also objects to Interrogatory No. 6 to the extent it seeks information that is not within Toshiba Corp.'s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to Toshiba Corp.

Toshiba Corp. further objects to Interrogatory No. 6 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

Toshiba Corp. further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**INTERROGATORY NO. 7:**

State, for each year from 2003 to 2009, the identity of each individual who approved or authorized MTPD's corporate operating budget, including, without limitations, the estimates of revenues, the estimates of operating and capital expenditures, and the estimates of borrowings.

**RESPONSE:**

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 7 because it is vague, overly broad, unduly burdensome, and seeks

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1 information that is neither relevant nor reasonably calculated to lead to the discovery of  
2 admissible evidence.

3 Toshiba Corp. further objects to Interrogatory No. 7 to the extent that it seeks  
4 information beyond the putative class period.

5 Toshiba Corp. also objects to Interrogatory No. 7 to the extent it seeks information  
6 that is not within Toshiba Corp.'s possession, custody, or control and because any such  
7 information is equally accessible to the Plaintiffs as to Toshiba Corp.

8 Toshiba Corp. further objects to Interrogatory No. 7 to the extent that it calls for  
9 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

10 Toshiba Corp. further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which  
11 limits the number of interrogatories that may be served by one party on another party to 25  
12 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
13 interrogatory limit of Rule 33(a)(1).

14 **INTERROGATORY NO. 8:**

15 State the identity of each individual who paid MTPD's attorney bills for legal services  
16 in connection with the investigation of MTPD's alleged involvement in the CRT cartel by  
17 government antitrust authorities in Japan, the European Union, and the United States during  
18 2006 through 2012.

19 **RESPONSE:**

20 In addition to its General Objections listed above, Toshiba Corp. objects to  
21 Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks  
22 information that is neither relevant nor reasonably calculated to lead to the discovery of  
23 admissible evidence.

24 Toshiba Corp. also objects to Interrogatory No. 8 to the extent it seeks information  
25 that is not within Toshiba Corp.'s possession, custody, or control and because any such  
26 information is equally accessible to the Plaintiffs as to Toshiba Corp.

27 Toshiba Corp. further objects to Interrogatory No. 8 to the extent that it calls for  
28 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

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1 Toshiba Corp. further objects to Interrogatory No. 8 to the extent that it seeks  
 2 information or documents protected by the attorney-client privilege, attorney work-product  
 3 doctrine or any other applicable privilege, protection, immunity, or rule.

4 Toshiba Corp. further objects to Interrogatory No. 8 to the extent that it seeks  
 5 information beyond the putative class period.

6 Toshiba Corp. further objects to Interrogatory No. 8 to the extent that it is harassing,  
 7 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
 8 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
 9 information is located.

10 Toshiba Corp. further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which  
 11 limits the number of interrogatories that may be served by one party on another party to 25  
 12 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
 13 interrogatory limit of Rule 33(a)(1).

14 **INTERROGATORY NO. 9:**

15 Identify any Toshiba entity which purchased CRTs manufactured by MTPD from  
 16 2003 to 2009.

17 **RESPONSE:**

18 In addition to its General Objections listed above, Toshiba Corp. objects to  
 19 Interrogatory No. 9 because it is vague, overly broad, unduly burdensome, and seeks  
 20 information that is neither relevant nor reasonably calculated to lead to the discovery of  
 21 admissible evidence.

22 Toshiba Corp. also objects to Interrogatory No. 9 to the extent it seeks information  
 23 regarding sales outside the United States and unrelated to United States commerce, as such  
 24 sales are beyond the scope of this litigation and requesting such information renders  
 25 Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead  
 26 to the discovery of admissible evidence.

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1 Toshiba Corp. also objects to Interrogatory No. 9 to the extent it seeks information  
 2 that is not within Toshiba Corp.'s possession, custody, or control and because any such  
 3 information is equally accessible to the Plaintiffs as to Toshiba Corp.

4 Toshiba Corp. further objects to Interrogatory No. 9 to the extent that it calls for  
 5 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

6 Toshiba Corp. further objects to Interrogatory No. 9 to the extent that it seeks  
 7 information beyond the putative class period.

8 Toshiba Corp. further objects to Interrogatory No. 9 on the ground that it is duplicative  
 9 of discovery served in this litigation, which is in contravention of the Discovery Protocol,  
 10 including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba  
 11 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba  
 12 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

13 Toshiba Corp. further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which  
 14 limits the number of interrogatories that may be served by one party on another party to 25  
 15 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
 16 interrogatory limit of Rule 33(a)(1).

17 **INTERROGATORY NO. 10:**

18 For every purchaser identified in Interrogatory No. 9, describe with specificity the  
 19 pricing mechanism or decision process by which MTPD decided on the price for those sold  
 20 CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed  
 21 for non- Toshiba affiliated purchasers of CRTs.

22 **RESPONSE:**

23 In addition to its General Objections listed above, Toshiba Corp. objects to  
 24 Interrogatory No. 10 because it is vague, overly broad, unduly burdensome, and seeks  
 25 information that is neither relevant nor reasonably calculated to lead to the discovery of  
 26 admissible evidence.

27 Toshiba Corp. also objects to Interrogatory No. 10 to the extent it seeks information  
 28 regarding sales outside the United States and unrelated to United States commerce, as such

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1 sales are beyond the scope of this litigation and requesting such information renders  
 2 Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead  
 3 to the discovery of admissible evidence.

4 Toshiba Corp. also objects to Interrogatory No. 10 to the extent it seeks information  
 5 that is not within Toshiba Corp.'s possession, custody, or control and because any such  
 6 information is equally accessible to the Plaintiffs as to Toshiba Corp.

7 Toshiba Corp. further objects to the term "pricing mechanism or decision process"  
 8 because it is vague.

9 Toshiba Corp. further objects to Interrogatory No. 10 to the extent that it calls for  
 10 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

11 Toshiba Corp. further objects to Interrogatory No. 10 to the extent that it seeks  
 12 information beyond the putative class period.

13 Toshiba Corp. further objects to Interrogatory No. 10 on the ground that it is  
 14 duplicative of discovery served in this litigation, which is in contravention of the Discovery  
 15 Protocol, including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants  
 16 Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C.,  
 17 Toshiba America Information Systems, Inc., and Toshiba America Electronic Components,  
 18 Inc.

19 Toshiba Corp. further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which  
 20 limits the number of interrogatories that may be served by one party on another party to 25  
 21 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
 22 interrogatory limit of Rule 33(a)(1)

23 **INTERROGATORY NO. 11:**

24 List, for each year from 2003 to 2009, the name, term and nature of every service level  
 25 agreement or other contract relating to professional services you entered into with MTPD  
 26 (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human  
 27 resources, accounting and sales support services).

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**CONFIDENTIAL****RESPONSE:**

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. also objects to Interrogatory No. 11 to the extent it seeks information that is not within Toshiba Corp.'s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to Toshiba Corp.

Toshiba Corp. further objects to the terms "service level agreement," and "other contract relating to professional services" because they are vague.

Toshiba Corp. further objects to Interrogatory No. 11 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

Toshiba Corp. further objects to Interrogatory No. 11 to the extent that it seeks information beyond the putative class period.

Toshiba Corp. further objects to Interrogatory No. 11 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

Toshiba Corp. further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**INTERROGATORY NO. 12:**

State the date, amount and interest rate (if applicable) of each capital or equity injection, loan or other financial contribution you provided to MTPD.

**RESPONSE:**

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 12 because it is vague, overly broad, unduly burdensome, and seeks

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1 information that is neither relevant nor reasonably calculated to lead to the discovery of  
2 admissible evidence.

3 Toshiba Corp. also objects to Interrogatory No. 12 to the extent it seeks information  
4 that is not within Toshiba Corp.'s possession, custody, or control and because any such  
5 information is equally accessible to the Plaintiffs as to Toshiba Corp.

6 Toshiba Corp. further objects to the terms "capital or equity injection, loan or other  
7 financial contribution" because they are vague.

8 Toshiba Corp. further objects to Interrogatory No. 12 to the extent that it calls for  
9 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

10 Toshiba Corp. further objects to Interrogatory No. 12 to the extent that it seeks  
11 information beyond the putative class period.

12 Toshiba Corp. further objects to Interrogatory No. 12 to the extent that it is harassing,  
13 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
14 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
15 information is located.

16 Toshiba Corp. further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which  
17 limits the number of interrogatories that may be served by one party on another party to 25  
18 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
19 interrogatory limit of Rule 33(a)(1).

20 **INTERROGATORY NO. 13:**

21 State the date and amount of any guarantees you made on behalf of MPTD, including  
22 the third party to whom the guarantee(s) were made.

23 **RESPONSE:**

24 In addition to its General Objections listed above, Toshiba Corp. objects to  
25 Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks  
26 information that is neither relevant nor reasonably calculated to lead to the discovery of  
27 admissible evidence.  
28

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1 Toshiba Corp. also objects to Interrogatory No. 13 to the extent it seeks information  
 2 that is not within Toshiba Corp.'s possession, custody, or control and because any such  
 3 information is equally accessible to the Plaintiffs as to Toshiba Corp.

4 Toshiba Corp. further objects to Interrogatory No. 13 to the extent that it calls for  
 5 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

6 Toshiba Corp. further objects to the term "guarantee" because it is vague.

7 Toshiba Corp. further objects to Interrogatory No. 13 because its inclusion of the term  
 8 "MPTD" renders it vague.

9 Toshiba Corp. further objects to Interrogatory No. 13 to the extent that it seeks  
 10 information beyond the putative class period.

11 Toshiba Corp. further objects to Interrogatory No. 13 to the extent that it is harassing,  
 12 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
 13 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
 14 information is located.

15 Toshiba Corp. further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which  
 16 limits the number of interrogatories that may be served by one party on another party to 25  
 17 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
 18 interrogatory limit of Rule 33(a)(1).

19 **INTERROGATORY NO. 14:**

20 List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries,  
 21 coverages and insurance carrier of any directors and officers (D&O) liability insurance  
 22 covering board members and executives of MTPD, and identify which company (including  
 23 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance  
 24 premiums.

25 **RESPONSE:**

26 In addition to its General Objections listed above, Toshiba Corp. objects to  
 27 Interrogatory No. 14 because it is vague, overly broad, unduly burdensome, and seeks  
 28

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1 information that is neither relevant nor reasonably calculated to lead to the discovery of  
2 admissible evidence.

3 Toshiba Corp. also objects to Interrogatory No. 14 to the extent it seeks information  
4 that is not within Toshiba Corp.'s possession, custody, or control and because any such  
5 information is equally accessible to the Plaintiffs as to Toshiba Corp.

6 Toshiba Corp. further objects to Interrogatory No. 14 to the extent that it calls for  
7 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

8 Toshiba Corp. further objects to Interrogatory No. 14 to the extent that it seeks  
9 information beyond the putative class period.

10 Toshiba Corp. further objects to Interrogatory No. 14 to the extent that it is harassing,  
11 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
12 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
13 information is located.

14 Toshiba Corp. also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which  
15 limits the number of interrogatories that may be served by one party on another party to 25  
16 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-  
17 interrogatory limit of Rule 33(a)(1).

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1  
2 Dated: September 5, 2014

WHITE & CASE<sup>LLP</sup>

3  
4 By:



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**CONFIDENTIAL****CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the "TOSHIBA CORPORATION'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS" to be served via e-mail upon:

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# **Exhibit 6-B**

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12 *Counsel to Defendant*

13 *Toshiba America, Inc.*

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)  
18 ANTITRUST LITIGATION

19 Case No. 07-5944 SC  
20 MDL No. 1917

21 This Document Relates to:

22 ALL INDIRECT PURCHASER ACTIONS

23 **TOSHIBA AMERICA, INC.'S**  
24 **OBJECTIONS AND RESPONSES**  
25 **TO INDIRECT PURCHASER**  
26 **PLAINTIFFS' FIRST SET OF**  
27 **INTERROGATORIES TO**  
28 **TOSHIBA DEFENDANTS**

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's  
2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court  
3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America,  
4 Inc. ("TAI") hereby submits the following Objections and Responses to Indirect Purchaser  
5 Plaintiffs' First Set of Interrogatories to Toshiba Defendants, dated August 1, 2014 (the  
6 "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the  
8 above caption. Each response is subject to all objections as to relevance, materiality and  
9 admissibility, and to any and all objections on any ground that would require exclusion of any  
10 response if it were introduced in court. All evidentiary objections and grounds are expressly  
11 reserved.

12 Each of the following responses is made on the basis of the information available at  
13 the time of service of the responses. TAI's responses to these Interrogatories are subject to  
14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the  
15 "Protective Order"). TAI's responses are hereby designated "Confidential" in accordance  
16 with the provisions of the Protective Order.

### **GENERAL OBJECTIONS**

17  
18 1. TAI objects to the Interrogatories, including the Definitions and Instructions  
19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case  
20 Management Protocol, Docket number 1128 in the MDL.

21 2. TAI objects to the Interrogatories, including the Definitions and Instructions  
22 provided therein, to the extent they purport to impose obligations beyond those required or  
23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil  
24 Proceedings before the United States District Court for the Northern District of California or  
25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TAI objects to the Interrogatories, including the Definitions and Instructions  
27 provided therein, to the extent they call for the production of documents or information that  
28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably  
2 calculated to lead to the discovery of admissible evidence.

3 4. TAI objects to the Interrogatories, including the Definitions and Instructions  
4 provided therein, to the extent that they are overly broad, unduly burdensome, vague, or  
5 ambiguous. TAI further objects to the Interrogatories, including the Definitions and  
6 Instructions provided therein, to the extent they purport to seek discovery of information from  
7 disaster recovery systems and archives.

8 5. TAI objects to the Interrogatories, including the Definitions and Instructions  
9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TAI objects to the Interrogatories, including the Definitions and Instructions  
11 provided therein, to the extent they call for publicly available information.

12 7. TAI objects to the Interrogatories, including the Definitions and Instructions  
13 provided therein, to the extent they seek information or documents protected by the attorney-  
14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,  
15 immunity, or rule (collectively, "Privileged Information"). TAI will not disclose any  
16 Privileged Information in response to any Interrogatory. TAI does not intend by these  
17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent  
18 production of such material or information is not intended to, and shall not, constitute a  
19 general or specific waiver in whole or in part of those privileges or protections as to material  
20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent  
21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such  
22 document or information.

23 8. TAI objects to the Interrogatories, including the Definitions and Instructions  
24 provided therein, to the extent they seek information, the disclosure of which would violate  
25 applicable law, including, but not limited to, privacy laws. In providing any response, TAI  
26 does so only to the extent allowable under applicable law.

27 9. TAI objects to the Interrogatories, including the Definitions and Instructions  
28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1           10. TAI objects to the Interrogatories, including the Definitions and Instructions  
2 provided therein, to the extent they seek documents or information, the disclosure of which is  
3 prohibited by contractual obligations or agreements between TAI and third parties.

4           11. TAI objects to the Interrogatories, including the Definitions and Instructions  
5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of  
6 the costs imposed on TAI weighed against the Plaintiffs' need for the information.

7           12. TAI objects to the Interrogatories, including the Definitions and Instructions  
8 provided therein, to the extent they seek information which is equally accessible to Plaintiffs  
9 as to TAI, or which has already been produced by other parties.

10           13. TAI objects to the Interrogatories, including the Definitions and Instructions  
11 provided therein, to the extent they seek information, the disclosure of which is prohibited by  
12 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the  
13 documents or information are located.

14           14. TAI objects to the Interrogatories, including the Definitions and Instructions  
15 provided therein, to the extent they seek disclosure of documents or information that is not  
16 within TAI's possession, custody, or control.

17           15. TAI objects to the Interrogatories, including the Definitions and Instructions  
18 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or  
19 Document Requests.

20           16. TAI objects to the Interrogatories pursuant to Civil L.R. 33-2, which states that  
21 "a demand that a party set forth the basis for a denial of an admission requested under Fed. R.  
22 Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is allowable  
23 only to the extent that a party is entitled to propound additional interrogatories."

24           17. TAI objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the  
25 number of interrogatories that may be served by one party on another party to 25 (twenty-  
26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
27 of Rule 33(a)(1).  
28

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1           18. TAI's response to the Interrogatories is not intended to be, and shall not be  
2 construed as, an agreement or concurrence by TAI with the Plaintiffs' characterization of any  
3 facts, circumstances, or legal obligations. TAI reserves the right to contest any such  
4 characterization. TAI further objects to the Interrogatories to the extent they contain express  
5 or implied assumptions of fact or law with respect to matters at issue in the case.

6           19. TAI objects to the definition of "you" and "your" because it is vague, overly  
7 broad and unduly burdensome, as it includes persons not controlled by TAI, and as it seeks  
8 information that is neither relevant nor reasonably calculated to lead to the discovery of  
9 admissible information and, in addition, improperly purports to seek information from distinct  
10 corporate entities and persons not parties to the case and not controlled by TAI. TAI will  
11 interpret these terms to refer to TAI only. TAI further objects to the definition of "you" and  
12 "your" to the extent it seeks information or documents protected by the attorney-client  
13 privilege, work product doctrine or any other applicable privilege, protection, immunity, or  
14 rule.

15           20. TAI objects to the defined term "relevant time period" to the extent that it  
16 exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad, unduly  
17 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible  
18 evidence. TAI also objects to the definition of "relevant time period" because it is well  
19 beyond the relevant statute of limitations. TAI further objects to the term "relevant time  
20 period" to the extent that it seeks documents created after this litigation began. For the  
21 purposes of responding to these Interrogatories, TAI will interpret the term "relevant time  
22 period" as referring to the "class period" defined in the Complaint, which is March 1, 1995 to  
23 November 25, 2007.

24           21. TAI objects to the defined terms "subsidiary," "affiliate," and "joint venture"  
25 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated  
26 to lead to the discovery of admissible evidence.

27           22. TAI objects to the defined term "Employee" because it is overly broad, unduly  
28 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible

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1 evidence. TAI further objects to the defined term “Employee” to the extent that it seeks  
 2 information from distinct persons not parties to the case and not controlled by TAI.

3 23. Discovery is ongoing. This response is being made after reasonable inquiry  
 4 into the relevant facts, and is based upon the information presently known to TAI. Further  
 5 investigation and discovery may result in the identification of additional information or  
 6 contentions, and TAI expressly reserves all rights to amend its responses and objections to  
 7 Indirect Purchaser Plaintiffs’ First Set of Interrogatories as necessary. TAI’s responses should  
 8 not be construed to prejudice its right to conduct further investigation in this case, or to limit  
 9 TAI’s use of any additional evidence that may be developed.

10 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

11 **INTERROGATORY NO. 1:**

12 State the name, address, telephone number, and relationship to you of each person  
 13 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not  
 14 identify anyone who simply typed or reproduced the responses.)

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAI objects to Interrogatory No. 1  
 17 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by  
 18 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have  
 19 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

20 **INTERROGATORY NO. 2:**

21 Identify separately for each year from 2003 to 2009, each of MTPD’s board and  
 22 committees, including (a) its full name; (b) a brief description of its function; and (c) all  
 23 members of that board or committee.

24 **RESPONSE:**

25 In addition to its General Objections listed above, TAI objects to Interrogatory No. 2  
 26 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by  
 27 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have  
 28 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 3:**

Identify, separately for each year from 2003 to 2009 each of MTPD's corporate officers, including the name of each company (including any subsidiary, affiliate, joint venture or other related entity of Toshiba) that employed such individual throughout the Relevant Time Period, his or her title, business address, the division or unit of the company where such individual worked, and a description of his or her responsibilities for each position or title held.

**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 3 to the extent it seeks information that is not within TAI's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAI.

TAI further objects to Interrogatory No. 3 to the extent that it seeks information beyond the putative class period.

TAI further objects to Interrogatory No. 3 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAI.

TAI further objects to Interrogatory No. 3 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba Electronic Components, Inc., and Toshiba America Information Systems, Inc.

TAI further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 4:**

Separately for each year from 2003 to 2009, identify those employees who transferred (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory, “transferred” means the change of official employment from you to MTPD or vice versa, the change of work duties or job descriptions for the benefit of the other entity, or the relocation to a facility occupied exclusively by the other entity.

**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 4 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 4 to the extent that the term “transferred” is vague.

TAI further objects to Interrogatory No. 4 to the extent that it seeks information beyond the putative class period.

TAI further objects to Interrogatory No. 4 to the extent that it is harassing, invasive, or seeks personal confidential information, the disclosure of which is prohibited by a law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAI further objects to Interrogatory No. 4 to the extent it seeks information that is not within TAI’s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAI.

TAI further objects to Interrogatory No. 4 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAI.

TAI further objects to Interrogatory No. 4 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 10 of IPPs and DPPs’ Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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TAI further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**INTERROGATORY NO. 5:**

List the date, nature, and amount of any payments you made from 2003 to 2009 to individuals who were employed by or worked for MTPD, and describe with specificity whether such payments occurred directly to the employee, through some social fund or other entity or governmental program.

**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 5 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 5 because the term “payment” is vague.

TAI further objects to Interrogatory No. 5 because the terms “social fund,” “other entity,” and “governmental program” are vague.

TAI further objects to Interrogatory No. 5 to the extent that it seeks information beyond the putative class period.

TAI further objects to Interrogatory No. 5 to the extent that it is harassing, invasive, or seeks personal confidential information, the disclosure of which is prohibited by a law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAI further objects to Interrogatory No. 5 to the extent it seeks information that is not within TAI’s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAI.

TAI further objects to Interrogatory No. 5 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAI.

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TAI further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**INTERROGATORY NO. 6:**

For every person identified in Interrogatory Nos. 2 and 3, state, for each year from 2003 to 2009, as applicable:

- i. The type or nature of any offered or accepted (a) stock option plan or other equity incentive plan, (b) bonus or other discretionary periodic payment, and (c) any other employee benefits; and
- ii. the identity of each individual or company who set, maintained, funded, or administered his or her (a) payroll, (b) bonus or other discretionary periodic payment, (c) stock option plan or other equity incentive plan, and (d) any other employee benefits.

**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 6 to the extent that it is harassing, invasive, or seeks personal confidential information, the disclosure of which is prohibited by a law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAI further objects to Interrogatory No. 6 to the extent that it seeks information beyond the putative class period.

TAI also objects to Interrogatory No. 6 to the extent it seeks information that is not within TAI's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAI.

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1 TAI further objects to Interrogatory No. 6 to the extent that it calls for information  
2 regarding distinct corporate entities and persons not controlled by TAI.

3 TAI further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which limits the  
4 number of interrogatories that may be served by one party on another party to 25 (twenty-  
5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 7:**

8 State, for each year from 2003 to 2009, the identity of each individual who approved  
9 or authorized MTPD's corporate operating budget, including, without limitations, the  
10 estimates of revenues, the estimates of operating and capital expenditures, and the estimates  
11 of borrowings.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAI objects to Interrogatory No. 7  
14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAI further objects to Interrogatory No. 7 to the extent that it seeks information  
17 beyond the putative class period.

18 TAI also objects to Interrogatory No. 7 to the extent it seeks information that is not  
19 within TAI's possession, custody, or control and because any such information is equally  
20 accessible to the Plaintiffs as to TAI.

21 TAI further objects to Interrogatory No. 7 to the extent that it calls for information  
22 regarding distinct corporate entities and persons not controlled by TAI.

23 TAI further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which limits the  
24 number of interrogatories that may be served by one party on another party to 25 (twenty-  
25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
26 of Rule 33(a)(1).

27

28

**CONFIDENTIAL****INTERROGATORY NO. 8:**

State the identity of each individual who paid MTPD's attorney bills for legal services in connection with the investigation of MTPD's alleged involvement in the CRT cartel by government antitrust authorities in Japan, the European Union, and the United States during 2006 through 2012.

**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 8 to the extent it seeks information that is not within TAI's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAI.

TAI further objects to Interrogatory No. 8 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAI.

TAI further objects to Interrogatory No. 8 to the extent that it seeks information or documents protected by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection, immunity, or rule.

TAI further objects to Interrogatory No. 8 to the extent that it seeks information beyond the putative class period.

TAI further objects to Interrogatory No. 8 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAI further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**CONFIDENTIAL****INTERROGATORY NO. 9:**

Identify any Toshiba entity which purchased CRTs manufactured by MTPD from 2003 to 2009.

**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 9 to the extent it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 9 to the extent it seeks information that is not within TAI's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAI.

TAI further objects to Interrogatory No. 9 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAI.

TAI further objects to Interrogatory No. 9 to the extent that it seeks information beyond the putative class period.

TAI further objects to Interrogatory No. 9 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

TAI further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 10:**

For every purchaser identified in Interrogatory No. 9, describe with specificity the pricing mechanism or decision process by which MTPD decided on the price for those sold CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed for non- Toshiba affiliated purchasers of CRTs.

**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 10 to the extent it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 10 to the extent it seeks information that is not within TAI's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAI.

TAI further objects to the term "pricing mechanism or decision process" because it is vague.

TAI further objects to Interrogatory No. 10 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAI.

TAI further objects to Interrogatory No. 10 to the extent that it seeks information beyond the putative class period.

TAI further objects to Interrogatory No. 10 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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TAI further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1)

**INTERROGATORY NO. 11:**

List, for each year from 2003 to 2009, the name, term and nature of every service level agreement or other contract relating to professional services you entered into with MTPD (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human resources, accounting and sales support services).

**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 11 to the extent it seeks information that is not within TAI's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAI.

TAI further objects to the terms "service level agreement," and "other contract relating to professional services" because they are vague.

TAI further objects to Interrogatory No. 11 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAI.

TAI further objects to Interrogatory No. 11 to the extent that it seeks information beyond the putative class period.

TAI further objects to Interrogatory No. 11 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAI further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-



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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 12:**

4 State the date, amount and interest rate (if applicable) of each capital or equity  
5 injection, loan or other financial contribution you provided to MTPD.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAI objects to Interrogatory No. 12  
8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAI also objects to Interrogatory No. 12 to the extent it seeks information that is not  
11 within TAI's possession, custody, or control and because any such information is equally  
12 accessible to the Plaintiffs as to TAI.

13 TAI further objects to the terms "capital or equity injection, loan or other financial  
14 contribution" because they are vague.

15 TAI further objects to Interrogatory No. 12 to the extent that it calls for information  
16 regarding distinct corporate entities and persons not controlled by TAI.

17 TAI further objects to Interrogatory No. 12 to the extent that it seeks information  
18 beyond the putative class period.

19 TAI further objects to Interrogatory No. 12 to the extent that it is harassing, invasive,  
20 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or  
21 order of a court or another authority of a foreign jurisdiction in which the information is  
22 located.

23 TAI further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which limits the  
24 number of interrogatories that may be served by one party on another party to 25 (twenty-  
25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
26 of Rule 33(a)(1).

**CONFIDENTIAL****INTERROGATORY NO. 13:**

State the date and amount of any guarantees you made on behalf of MPTD, including the third party to whom the guarantee(s) were made.

**RESPONSE:**

In addition to its General Objections listed above, TAI objects to Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAI also objects to Interrogatory No. 13 to the extent it seeks information that is not within TAI's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAI.

TAI further objects to Interrogatory No. 13 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAI.

TAI further objects to the term "guarantee" because it is vague.

TAI further objects to Interrogatory No. 13 because its inclusion of the term "MPTD" renders it vague.

TAI further objects to Interrogatory No. 13 to the extent that it seeks information beyond the putative class period.

TAI further objects to Interrogatory No. 13 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAI further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**INTERROGATORY NO. 14:**

List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries, coverages and insurance carrier of any directors and officers (D&O) liability insurance

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1 covering board members and executives of MTPD, and identify which company (including  
2 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance  
3 premiums.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAI objects to Interrogatory No. 14  
6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAI also objects to Interrogatory No. 14 to the extent it seeks information that is not  
9 within TAI's possession, custody, or control and because any such information is equally  
10 accessible to the Plaintiffs as to TAI.

11 TAI further objects to Interrogatory No. 14 to the extent that it calls for information  
12 regarding distinct corporate entities and persons not controlled by TAI.

13 TAI further objects to Interrogatory No. 14 to the extent that it seeks information  
14 beyond the putative class period.

15 TAI further objects to Interrogatory No. 14 to the extent that it is harassing, invasive,  
16 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or  
17 order of a court or another authority of a foreign jurisdiction in which the information is  
18 located.

19 TAI also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which limits the  
20 number of interrogatories that may be served by one party on another party to 25 (twenty-  
21 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
22 of Rule 33(a)(1).

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1  
2 Dated: September 5, 2014

WHITE & CASE<sup>LLP</sup>

3  
4 By: 

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TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER  
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**CONFIDENTIAL****CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the "TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS" to be served via e-mail upon:

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# **Exhibit 6-C**

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12 *Counsel to Defendant*

13 *Toshiba America Information Systems, Inc.*

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)  
18 ANTITRUST LITIGATION

19 Case No. 07-5944 SC  
20 MDL No. 1917

21 This Document Relates to:

22 ALL INDIRECT PURCHASER ACTIONS

23 **TOSHIBA AMERICA  
24 INFORMATION SYSTEMS,  
25 INC.'S OBJECTIONS AND  
26 RESPONSES TO INDIRECT  
27 PURCHASER PLAINTIFFS'  
28 FIRST SET OF  
INTERROGATORIES TO  
TOSHIBA DEFENDANTS**

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's  
2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court  
3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America  
4 Information Systems, Inc. ("TAIS") hereby submits the following Objections and Responses  
5 to Indirect Purchaser Plaintiffs' First Set of Interrogatories to Toshiba Defendants, dated  
6 August 1, 2014 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the  
8 above caption. Each response is subject to all objections as to relevance, materiality and  
9 admissibility, and to any and all objections on any ground that would require exclusion of any  
10 response if it were introduced in court. All evidentiary objections and grounds are expressly  
11 reserved.

12 Each of the following responses is made on the basis of the information available at  
13 the time of service of the responses. TAIS's responses to these Interrogatories are subject to  
14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the  
15 "Protective Order"). TAIS's responses are hereby designated "Confidential" in accordance  
16 with the provisions of the Protective Order.

### **GENERAL OBJECTIONS**

17  
18 1. TAIS objects to the Interrogatories, including the Definitions and Instructions  
19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case  
20 Management Protocol, Docket number 1128 in the MDL.

21 2. TAIS objects to the Interrogatories, including the Definitions and Instructions  
22 provided therein, to the extent they purport to impose obligations beyond those required or  
23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil  
24 Proceedings before the United States District Court for the Northern District of California or  
25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TAIS objects to the Interrogatories, including the Definitions and Instructions  
27 provided therein, to the extent they call for the production of documents or information that  
28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably  
2 calculated to lead to the discovery of admissible evidence.

3 4. TAIS objects to the Interrogatories, including the Definitions and Instructions  
4 provided therein, to the extent that they are overly broad, unduly burdensome, vague, or  
5 ambiguous. TAIS further objects to the Interrogatories, including the Definitions and  
6 Instructions provided therein, to the extent they purport to seek discovery of information from  
7 disaster recovery systems and archives.

8 5. TAIS objects to the Interrogatories, including the Definitions and Instructions  
9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TAIS objects to the Interrogatories, including the Definitions and Instructions  
11 provided therein, to the extent they call for publicly available information.

12 7. TAIS objects to the Interrogatories, including the Definitions and Instructions  
13 provided therein, to the extent they seek information or documents protected by the attorney-  
14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,  
15 immunity, or rule (collectively, "Privileged Information"). TAIS will not disclose any  
16 Privileged Information in response to any Interrogatory. TAIS does not intend by these  
17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent  
18 production of such material or information is not intended to, and shall not, constitute a  
19 general or specific waiver in whole or in part of those privileges or protections as to material  
20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent  
21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such  
22 document or information.

23 8. TAIS objects to the Interrogatories, including the Definitions and Instructions  
24 provided therein, to the extent they seek information, the disclosure of which would violate  
25 applicable law, including, but not limited to, privacy laws. In providing any response, TAIS  
26 does so only to the extent allowable under applicable law.

27 9. TAIS objects to the Interrogatories, including the Definitions and Instructions  
28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1           10. TAIS objects to the Interrogatories, including the Definitions and Instructions  
2 provided therein, to the extent they seek documents or information, the disclosure of which is  
3 prohibited by contractual obligations or agreements between TAIS and third parties.

4           11. TAIS objects to the Interrogatories, including the Definitions and Instructions  
5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of  
6 the costs imposed on TAIS weighed against the Plaintiffs' need for the information.

7           12. TAIS objects to the Interrogatories, including the Definitions and Instructions  
8 provided therein, to the extent they seek information which is equally accessible to Plaintiffs  
9 as to TAIS, or which has already been produced by other parties.

10           13. TAIS objects to the Interrogatories, including the Definitions and Instructions  
11 provided therein, to the extent they seek information, the disclosure of which is prohibited by  
12 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the  
13 documents or information are located.

14           14. TAIS objects to the Interrogatories, including the Definitions and Instructions  
15 provided therein, to the extent they seek disclosure of documents or information that is not  
16 within TAIS's possession, custody, or control.

17           15. TAIS objects to the Interrogatories, including the Definitions and Instructions  
18 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or  
19 Document Requests.

20           16. TAIS objects to the Interrogatories pursuant to Civil L.R. 33-2, which states  
21 that "a demand that a party set forth the basis for a denial of an admission requested under  
22 Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is  
23 allowable only to the extent that a party is entitled to propound additional interrogatories."

24           17. TAIS objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the  
25 number of interrogatories that may be served by one party on another party to 25 (twenty-  
26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
27 of Rule 33(a)(1).  
28

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1           18.     TAIS's response to the Interrogatories is not intended to be, and shall not be  
2 construed as, an agreement or concurrence by TAIS with the Plaintiffs' characterization of  
3 any facts, circumstances, or legal obligations. TAIS reserves the right to contest any such  
4 characterization. TAIS further objects to the Interrogatories to the extent they contain express  
5 or implied assumptions of fact or law with respect to matters at issue in the case.

6           19.     TAIS objects to the definition of "you" and "your" because it is vague, overly  
7 broad and unduly burdensome, as it includes persons not controlled by TAIS, and as it seeks  
8 information that is neither relevant nor reasonably calculated to lead to the discovery of  
9 admissible information and, in addition, improperly purports to seek information from distinct  
10 corporate entities and persons not parties to the case and not controlled by TAIS. TAIS will  
11 interpret these terms to refer to TAIS only. TAIS further objects to the definition of "you"  
12 and "your" to the extent it seeks information or documents protected by the attorney-client  
13 privilege, work product doctrine or any other applicable privilege, protection, immunity, or  
14 rule.

15           20.     TAIS objects to the defined term "relevant time period" to the extent that it  
16 exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad, unduly  
17 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible  
18 evidence. TAIS also objects to the definition of "relevant time period" because it is well  
19 beyond the relevant statute of limitations. TAIS further objects to the term "relevant time  
20 period" to the extent that it seeks documents created after this litigation began. For the  
21 purposes of responding to these Interrogatories, TAIS will interpret the term "relevant time  
22 period" as referring to the "class period" defined in the Complaint, which is March 1, 1995 to  
23 November 25, 2007.

24           21.     TAIS objects to the defined terms "subsidiary," "affiliate," and "joint venture"  
25 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated  
26 to lead to the discovery of admissible evidence.

27           22.     TAIS objects to the defined term "Employee" because it is overly broad,  
28 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of

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1 admissible evidence. TAIS further objects to the defined term “Employee” to the extent that  
 2 it seeks information from distinct persons not parties to the case and not controlled by TAIS.

3 23. Discovery is ongoing. This response is being made after reasonable inquiry  
 4 into the relevant facts, and is based upon the information presently known to TAIS. Further  
 5 investigation and discovery may result in the identification of additional information or  
 6 contentions, and TAIS expressly reserves all rights to amend its responses and objections to  
 7 Indirect Purchaser Plaintiffs’ First Set of Interrogatories as necessary. TAIS’s responses  
 8 should not be construed to prejudice its right to conduct further investigation in this case, or to  
 9 limit TAIS’s use of any additional evidence that may be developed.

10 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

11 **INTERROGATORY NO. 1:**

12 State the name, address, telephone number, and relationship to you of each person  
 13 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not  
 14 identify anyone who simply typed or reproduced the responses.)

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 1  
 17 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by  
 18 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have  
 19 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

20 **INTERROGATORY NO. 2:**

21 Identify separately for each year from 2003 to 2009, each of MTPD’s board and  
 22 committees, including (a) its full name; (b) a brief description of its function; and (c) all  
 23 members of that board or committee.

24 **RESPONSE:**

25 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 2  
 26 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by  
 27 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have  
 28 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**CONFIDENTIAL****INTERROGATORY NO. 3:**

Identify, separately for each year from 2003 to 2009 each of MTPD's corporate officers, including the name of each company (including any subsidiary, affiliate, joint venture or other related entity of Toshiba) that employed such individual throughout the Relevant Time Period, his or her title, business address, the division or unit of the company where such individual worked, and a description of his or her responsibilities for each position or title held.

**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 3 to the extent it seeks information that is not within TAIS's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAIS.

TAIS further objects to Interrogatory No. 3 to the extent that it seeks information beyond the putative class period.

TAIS further objects to Interrogatory No. 3 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAIS.

TAIS further objects to Interrogatory No. 3 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba Electronic Components, Inc., and Toshiba America Information Systems, Inc.

TAIS further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 4:**

Separately for each year from 2003 to 2009, identify those employees who transferred (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory, “transferred” means the change of official employment from you to MTPD or vice versa, the change of work duties or job descriptions for the benefit of the other entity, or the relocation to a facility occupied exclusively by the other entity.

**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 4 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 4 to the extent that the term “transferred” is vague.

TAIS further objects to Interrogatory No. 4 to the extent that it seeks information beyond the putative class period.

TAIS further objects to Interrogatory No. 4 to the extent that it is harassing, invasive, or seeks personal confidential information, the disclosure of which is prohibited by a law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAIS further objects to Interrogatory No. 4 to the extent it seeks information that is not within TAIS’s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAIS.

TAIS further objects to Interrogatory No. 4 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAIS.

TAIS further objects to Interrogatory No. 4 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 10 of IPPs and DPPs’ Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAIS further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which limits the  
 2 number of interrogatories that may be served by one party on another party to 25 (twenty-  
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 5:**

6 List the date, nature, and amount of any payments you made from 2003 to 2009 to  
 7 individuals who were employed by or worked for MTPD, and describe with specificity  
 8 whether such payments occurred directly to the employee, through some social fund or other  
 9 entity or governmental program.

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 5  
 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAIS also objects to Interrogatory No. 5 because the term “payment” is vague.

15 TAIS further objects to Interrogatory No. 5 because the terms “social fund,” “other  
 16 entity,” and “governmental program” are vague.

17 TAIS further objects to Interrogatory No. 5 to the extent that it seeks information  
 18 beyond the putative class period.

19 TAIS further objects to Interrogatory No. 5 to the extent that it is harassing, invasive,  
 20 or seeks personal confidential information, the disclosure of which is prohibited by a law,  
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
 22 information is located.

23 TAIS further objects to Interrogatory No. 5 to the extent it seeks information that is  
 24 not within TAIS’s possession, custody, or control and because any such information is equally  
 25 accessible to the Plaintiffs as to TAIS.

26 TAIS further objects to Interrogatory No. 5 to the extent that it calls for information  
 27 regarding distinct corporate entities and persons not controlled by TAIS.



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1 TAIS further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which limits the  
 2 number of interrogatories that may be served by one party on another party to 25 (twenty-  
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 6:**

6 For every person identified in Interrogatory Nos. 2 and 3, state, for each year from  
 7 2003 to 2009, as applicable:

- 8 i. The type or nature of any offered or accepted (a) stock option plan or other equity  
 9 incentive plan, (b) bonus or other discretionary periodic payment, and (c) any  
 10 other employee benefits; and  
 11 ii. the identity of each individual or company who set, maintained, funded, or  
 12 administered his or her (a) payroll, (b) bonus or other discretionary periodic  
 13 payment, (c) stock option plan or other equity incentive plan, and (d) any other  
 14 employee benefits.

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 6  
 17 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
 18 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

19 TAIS also objects to Interrogatory No. 6 to the extent that it is harassing, invasive, or  
 20 seeks personal confidential information, the disclosure of which is prohibited by a law,  
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
 22 information is located.

23 TAIS further objects to Interrogatory No. 6 to the extent that it seeks information  
 24 beyond the putative class period.

25 TAIS also objects to Interrogatory No. 6 to the extent it seeks information that is not  
 26 within TAIS's possession, custody, or control and because any such information is equally  
 27 accessible to the Plaintiffs as to TAIS.  
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1 TAIS further objects to Interrogatory No. 6 to the extent that it calls for information  
2 regarding distinct corporate entities and persons not controlled by TAIS.

3 TAIS further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which limits the  
4 number of interrogatories that may be served by one party on another party to 25 (twenty-  
5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 7:**

8 State, for each year from 2003 to 2009, the identity of each individual who approved  
9 or authorized MTPD's corporate operating budget, including, without limitations, the  
10 estimates of revenues, the estimates of operating and capital expenditures, and the estimates  
11 of borrowings.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 7  
14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAIS further objects to Interrogatory No. 7 to the extent that it seeks information  
17 beyond the putative class period.

18 TAIS also objects to Interrogatory No. 7 to the extent it seeks information that is not  
19 within TAIS's possession, custody, or control and because any such information is equally  
20 accessible to the Plaintiffs as to TAIS.

21 TAIS further objects to Interrogatory No. 7 to the extent that it calls for information  
22 regarding distinct corporate entities and persons not controlled by TAIS.

23 TAIS further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which limits the  
24 number of interrogatories that may be served by one party on another party to 25 (twenty-  
25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
26 of Rule 33(a)(1).

**CONFIDENTIAL****INTERROGATORY NO. 8:**

State the identity of each individual who paid MTPD's attorney bills for legal services in connection with the investigation of MTPD's alleged involvement in the CRT cartel by government antitrust authorities in Japan, the European Union, and the United States during 2006 through 2012.

**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 8 to the extent it seeks information that is not within TAIS's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAIS.

TAIS further objects to Interrogatory No. 8 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAIS.

TAIS further objects to Interrogatory No. 8 to the extent that it seeks information or documents protected by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection, immunity, or rule.

TAIS further objects to Interrogatory No. 8 to the extent that it seeks information beyond the putative class period.

TAIS further objects to Interrogatory No. 8 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAIS further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**CONFIDENTIAL****INTERROGATORY NO. 9:**

Identify any Toshiba entity which purchased CRTs manufactured by MTPD from 2003 to 2009.

**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 9 to the extent it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 9 to the extent it seeks information that is not within TAIS's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAIS.

TAIS further objects to Interrogatory No. 9 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAIS.

TAIS further objects to Interrogatory No. 9 to the extent that it seeks information beyond the putative class period.

TAIS further objects to Interrogatory No. 9 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

TAIS further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 10:**

For every purchaser identified in Interrogatory No. 9, describe with specificity the pricing mechanism or decision process by which MTPD decided on the price for those sold CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed for non- Toshiba affiliated purchasers of CRTs.

**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 10 to the extent it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 10 to the extent it seeks information that is not within TAIS's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAIS.

TAIS further objects to the term "pricing mechanism or decision process" because it is vague.

TAIS further objects to Interrogatory No. 10 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAIS.

TAIS further objects to Interrogatory No. 10 to the extent that it seeks information beyond the putative class period.

TAIS further objects to Interrogatory No. 10 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAIS further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which limits  
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
 4 of Rule 33(a)(1)

5 **INTERROGATORY NO. 11:**

6 List, for each year from 2003 to 2009, the name, term and nature of every service level  
 7 agreement or other contract relating to professional services you entered into with MTPD  
 8 (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human  
 9 resources, accounting and sales support services).

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAIS objects to Interrogatory No.  
 12 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAIS also objects to Interrogatory No. 11 to the extent it seeks information that is not  
 15 within TAIS's possession, custody, or control and because any such information is equally  
 16 accessible to the Plaintiffs as to TAIS.

17 TAIS further objects to the terms "service level agreement," and "other contract  
 18 relating to professional services" because they are vague.

19 TAIS further objects to Interrogatory No. 11 to the extent that it calls for information  
 20 regarding distinct corporate entities and persons not controlled by TAIS.

21 TAIS further objects to Interrogatory No. 11 to the extent that it seeks information  
 22 beyond the putative class period.

23 TAIS further objects to Interrogatory No. 11 to the extent that it is harassing, invasive,  
 24 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or  
 25 order of a court or another authority of a foreign jurisdiction in which the information is  
 26 located.

27 TAIS further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which limits  
 28 the number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 12:**

4 State the date, amount and interest rate (if applicable) of each capital or equity  
5 injection, loan or other financial contribution you provided to MTPD.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAIS objects to Interrogatory No.  
8 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAIS also objects to Interrogatory No. 12 to the extent it seeks information that is not  
11 within TAIS's possession, custody, or control and because any such information is equally  
12 accessible to the Plaintiffs as to TAIS.

13 TAIS further objects to the terms "capital or equity injection, loan or other financial  
14 contribution" because they are vague.

15 TAIS further objects to Interrogatory No. 12 to the extent that it calls for information  
16 regarding distinct corporate entities and persons not controlled by TAIS.

17 TAIS further objects to Interrogatory No. 12 to the extent that it seeks information  
18 beyond the putative class period.

19 TAIS further objects to Interrogatory No. 12 to the extent that it is harassing, invasive,  
20 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or  
21 order of a court or another authority of a foreign jurisdiction in which the information is  
22 located.

23 TAIS further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which limits  
24 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
26 of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 13:**

State the date and amount of any guarantees you made on behalf of MPTD, including the third party to whom the guarantee(s) were made.

**RESPONSE:**

In addition to its General Objections listed above, TAIS objects to Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAIS also objects to Interrogatory No. 13 to the extent it seeks information that is not within TAIS's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAIS.

TAIS further objects to Interrogatory No. 13 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAIS.

TAIS further objects to the term "guarantee" because it is vague.

TAIS further objects to Interrogatory No. 13 because its inclusion of the term "MPTD" renders it vague.

TAIS further objects to Interrogatory No. 13 to the extent that it seeks information beyond the putative class period.

TAIS further objects to Interrogatory No. 13 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAIS further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**INTERROGATORY NO. 14:**

List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries, coverages and insurance carrier of any directors and officers (D&O) liability insurance

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1 covering board members and executives of MTPD, and identify which company (including  
2 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance  
3 premiums.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAIS objects to Interrogatory No.  
6 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAIS also objects to Interrogatory No. 14 to the extent it seeks information that is not  
9 within TAIS's possession, custody, or control and because any such information is equally  
10 accessible to the Plaintiffs as to TAIS.

11 TAIS further objects to Interrogatory No. 14 to the extent that it calls for information  
12 regarding distinct corporate entities and persons not controlled by TAIS.

13 TAIS further objects to Interrogatory No. 14 to the extent that it seeks information  
14 beyond the putative class period.

15 TAIS further objects to Interrogatory No. 14 to the extent that it is harassing, invasive,  
16 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or  
17 order of a court or another authority of a foreign jurisdiction in which the information is  
18 located.

19 TAIS also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which limits the  
20 number of interrogatories that may be served by one party on another party to 25 (twenty-  
21 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
22 of Rule 33(a)(1).

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1  
2 Dated: September 5, 2014  
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**WHITE & CASE<sub>LLP</sub>**

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**CONFIDENTIAL****CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the “TOSHIBA AMERICA INFORMATION SYSTEMS, INC.’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS” to be served via e-mail upon:

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DEFENDANTS  
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# **Exhibit 6-D**

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14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)  
 18 ANTITRUST LITIGATION

19 Case No. 07-5944 SC  
 20 MDL No. 1917

21 This Document Relates to:

22 ALL INDIRECT PURCHASER ACTIONS

23 **TOSHIBA AMERICA  
 24 CONSUMER PRODUCTS,  
 25 L.L.C.'S OBJECTIONS AND  
 26 RESPONSES TO INDIRECT  
 27 PURCHASER PLAINTIFFS'  
 28 FIRST SET OF  
 INTERROGATORIES TO  
 TOSHIBA DEFENDANTS**

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Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America Consumer Products, L.L.C. ("TACP") hereby submits the following Objections and Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories to Toshiba Defendants, dated August 1, 2014 (the "Interrogatories").

Each of the following responses is made only for purposes of the actions named in the above caption. Each response is subject to all objections as to relevance, materiality and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court. All evidentiary objections and grounds are expressly reserved.

Each of the following responses is made on the basis of the information available at the time of service of the responses. TACP's responses to these Interrogatories are subject to the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the "Protective Order"). TACP's responses are hereby designated "Confidential" in accordance with the provisions of the Protective Order.

### **GENERAL OBJECTIONS**

1. TACP objects to the Interrogatories, including the Definitions and Instructions provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case Management Protocol, Docket number 1128 in the MDL.

2. TACP objects to the Interrogatories, including the Definitions and Instructions provided therein, to the extent they purport to impose obligations beyond those required or permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California or to the extent it is outside the scope of any order or opinion of this Court.

3. TACP objects to the Interrogatories, including the Definitions and Instructions provided therein, to the extent they call for the production of documents or information that relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably  
2 calculated to lead to the discovery of admissible evidence.

3 4. TACP objects to the Interrogatories, including the Definitions and Instructions  
4 provided therein, to the extent that they are overly broad, unduly burdensome, vague, or  
5 ambiguous. TACP further objects to the Interrogatories, including the Definitions and  
6 Instructions provided therein, to the extent they purport to seek discovery of information from  
7 disaster recovery systems and archives.

8 5. TACP objects to the Interrogatories, including the Definitions and Instructions  
9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TACP objects to the Interrogatories, including the Definitions and Instructions  
11 provided therein, to the extent they call for publicly available information.

12 7. TACP objects to the Interrogatories, including the Definitions and Instructions  
13 provided therein, to the extent they seek information or documents protected by the attorney-  
14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,  
15 immunity, or rule (collectively, "Privileged Information"). TACP will not disclose any  
16 Privileged Information in response to any Interrogatory. TACP does not intend by these  
17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent  
18 production of such material or information is not intended to, and shall not, constitute a  
19 general or specific waiver in whole or in part of those privileges or protections as to material  
20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent  
21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such  
22 document or information.

23 8. TACP objects to the Interrogatories, including the Definitions and Instructions  
24 provided therein, to the extent they seek information, the disclosure of which would violate  
25 applicable law, including, but not limited to, privacy laws. In providing any response, TACP  
26 does so only to the extent allowable under applicable law.

27 9. TACP objects to the Interrogatories, including the Definitions and Instructions  
28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1           10. TACP objects to the Interrogatories, including the Definitions and Instructions  
2 provided therein, to the extent they seek documents or information, the disclosure of which is  
3 prohibited by contractual obligations or agreements between TACP and third parties.

4           11. TACP objects to the Interrogatories, including the Definitions and Instructions  
5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of  
6 the costs imposed on TACP weighed against the Plaintiffs' need for the information.

7           12. TACP objects to the Interrogatories, including the Definitions and Instructions  
8 provided therein, to the extent they seek information which is equally accessible to Plaintiffs  
9 as to TACP, or which has already been produced by other parties.

10           13. TACP objects to the Interrogatories, including the Definitions and Instructions  
11 provided therein, to the extent they seek information, the disclosure of which is prohibited by  
12 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the  
13 documents or information are located.

14           14. TACP objects to the Interrogatories, including the Definitions and Instructions  
15 provided therein, to the extent they seek disclosure of documents or information that is not  
16 within TACP's possession, custody, or control.

17           15. TACP objects to the Interrogatories, including the Definitions and Instructions  
18 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or  
19 Document Requests.

20           16. TACP objects to the Interrogatories pursuant to Civil L.R. 33-2, which states  
21 that "a demand that a party set forth the basis for a denial of an admission requested under  
22 Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is  
23 allowable only to the extent that a party is entitled to propound additional interrogatories."

24           17. TACP objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the  
25 number of interrogatories that may be served by one party on another party to 25 (twenty-  
26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
27 of Rule 33(a)(1).  
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1           18. TACP's response to the Interrogatories is not intended to be, and shall not be  
2 construed as, an agreement or concurrence by TACP with the Plaintiffs' characterization of  
3 any facts, circumstances, or legal obligations. TACP reserves the right to contest any such  
4 characterization. TACP further objects to the Interrogatories to the extent they contain  
5 express or implied assumptions of fact or law with respect to matters at issue in the case.

6           19. TACP objects to the definition of "you" and "your" because it is vague, overly  
7 broad and unduly burdensome, as it includes persons not controlled by TACP, and as it seeks  
8 information that is neither relevant nor reasonably calculated to lead to the discovery of  
9 admissible information and, in addition, improperly purports to seek information from distinct  
10 corporate entities and persons not parties to the case and not controlled by TACP. TACP will  
11 interpret these terms to refer to TACP only. TACP further objects to the definition of "you"  
12 and "your" to the extent it seeks information or documents protected by the attorney-client  
13 privilege, work product doctrine or any other applicable privilege, protection, immunity, or  
14 rule.

15           20. TACP objects to the defined term "relevant time period" to the extent that it  
16 exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad, unduly  
17 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible  
18 evidence. TACP also objects to the definition of "relevant time period" because it is well  
19 beyond the relevant statute of limitations. TACP further objects to the term "relevant time  
20 period" to the extent that it seeks documents created after this litigation began. For the  
21 purposes of responding to these Interrogatories, TACP will interpret the term "relevant time  
22 period" as referring to the "class period" defined in the Complaint, which is March 1, 1995 to  
23 November 25, 2007.

24           21. TACP objects to the defined terms "subsidiary," "affiliate," and "joint venture"  
25 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated  
26 to lead to the discovery of admissible evidence.

27           22. TACP objects to the defined term "Employee" because it is overly broad,  
28 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of

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1 admissible evidence. TACP further objects to the defined term "Employee" to the extent that  
 2 it seeks information from distinct persons not parties to the case and not controlled by TACP.

3 23. Discovery is ongoing. This response is being made after reasonable inquiry  
 4 into the relevant facts, and is based upon the information presently known to TACP. Further  
 5 investigation and discovery may result in the identification of additional information or  
 6 contentions, and TACP expressly reserves all rights to amend its responses and objections to  
 7 Indirect Purchaser Plaintiffs' First Set of Interrogatories as necessary. TACP's responses  
 8 should not be construed to prejudice its right to conduct further investigation in this case, or to  
 9 limit TACP's use of any additional evidence that may be developed.

### 10 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

#### 11 **INTERROGATORY NO. 1:**

12 State the name, address, telephone number, and relationship to you of each person  
 13 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not  
 14 identify anyone who simply typed or reproduced the responses.)

#### 15 **RESPONSE:**

16 In addition to its General Objections listed above, TACP objects to Interrogatory No. 1  
 17 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by  
 18 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have  
 19 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

#### 20 **INTERROGATORY NO. 2:**

21 Identify separately for each year from 2003 to 2009, each of MTPD's board and  
 22 committees, including (a) its full name; (b) a brief description of its function; and (c) all  
 23 members of that board or committee.

#### 24 **RESPONSE:**

25 In addition to its General Objections listed above, TACP objects to Interrogatory No. 2  
 26 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by  
 27 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have  
 28 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**CONFIDENTIAL****INTERROGATORY NO. 3:**

Identify, separately for each year from 2003 to 2009 each of MTPD's corporate officers, including the name of each company (including any subsidiary, affiliate, joint venture or other related entity of Toshiba) that employed such individual throughout the Relevant Time Period, his or her title, business address, the division or unit of the company where such individual worked, and a description of his or her responsibilities for each position or title held.

**RESPONSE:**

In addition to its General Objections listed above, TACP objects to Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 3 to the extent it seeks information that is not within TACP's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TACP.

TACP further objects to Interrogatory No. 3 to the extent that it seeks information beyond the putative class period.

TACP further objects to Interrogatory No. 3 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TACP.

TACP further objects to Interrogatory No. 3 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba Electronic Components, Inc., and Toshiba America Information Systems, Inc.

TACP further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 4:**

Separately for each year from 2003 to 2009, identify those employees who transferred (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory, “transferred” means the change of official employment from you to MTPD or vice versa, the change of work duties or job descriptions for the benefit of the other entity, or the relocation to a facility occupied exclusively by the other entity.

**RESPONSE:**

In addition to its General Objections listed above, TACP objects to Interrogatory No. 4 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 4 to the extent that the term “transferred” is vague.

TACP further objects to Interrogatory No. 4 to the extent that it seeks information beyond the putative class period.

TACP further objects to Interrogatory No. 4 to the extent that it is harassing, invasive, or seeks personal confidential information, the disclosure of which is prohibited by a law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TACP further objects to Interrogatory No. 4 to the extent it seeks information that is not within TACP’s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TACP.

TACP further objects to Interrogatory No. 4 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TACP.

TACP further objects to Interrogatory No. 4 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 10 of IPPs and DPPs’ Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TACP further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which limits  
2 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 5:**

6 List the date, nature, and amount of any payments you made from 2003 to 2009 to  
7 individuals who were employed by or worked for MTPD, and describe with specificity  
8 whether such payments occurred directly to the employee, through some social fund or other  
9 entity or governmental program.

10 **RESPONSE:**

11 In addition to its General Objections listed above, TACP objects to Interrogatory No. 5  
12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TACP also objects to Interrogatory No. 5 because the term “payment” is vague.

15 TACP further objects to Interrogatory No. 5 because the terms “social fund,” “other  
16 entity,” and “governmental program” are vague.

17 TACP further objects to Interrogatory No. 5 to the extent that it seeks information  
18 beyond the putative class period.

19 TACP further objects to Interrogatory No. 5 to the extent that it is harassing, invasive,  
20 or seeks personal confidential information, the disclosure of which is prohibited by a law,  
21 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
22 information is located.

23 TACP further objects to Interrogatory No. 5 to the extent it seeks information that is  
24 not within TACP’s possession, custody, or control and because any such information is  
25 equally accessible to the Plaintiffs as to TACP.

26 TACP further objects to Interrogatory No. 5 to the extent that it calls for information  
27 regarding distinct corporate entities and persons not controlled by TACP.  
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1 TACP further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which limits  
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 6:**

6 For every person identified in Interrogatory Nos. 2 and 3, state, for each year from  
 7 2003 to 2009, as applicable:

- 8 i. The type or nature of any offered or accepted (a) stock option plan or other equity  
 9 incentive plan, (b) bonus or other discretionary periodic payment, and (c) any  
 10 other employee benefits; and  
 11 ii. the identity of each individual or company who set, maintained, funded, or  
 12 administered his or her (a) payroll, (b) bonus or other discretionary periodic  
 13 payment, (c) stock option plan or other equity incentive plan, and (d) any other  
 14 employee benefits.

15 **RESPONSE:**

16 In addition to its General Objections listed above, TACP objects to Interrogatory No. 6  
 17 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
 18 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

19 TACP also objects to Interrogatory No. 6 to the extent that it is harassing, invasive, or  
 20 seeks personal confidential information, the disclosure of which is prohibited by a law,  
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
 22 information is located.

23 TACP further objects to Interrogatory No. 6 to the extent that it seeks information  
 24 beyond the putative class period.

25 TACP also objects to Interrogatory No. 6 to the extent it seeks information that is not  
 26 within TACP's possession, custody, or control and because any such information is equally  
 27 accessible to the Plaintiffs as to TACP.  
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1 TACP further objects to Interrogatory No. 6 to the extent that it calls for information  
2 regarding distinct corporate entities and persons not controlled by TACP.

3 TACP further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which limits  
4 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 7:**

8 State, for each year from 2003 to 2009, the identity of each individual who approved  
9 or authorized MTPD's corporate operating budget, including, without limitations, the  
10 estimates of revenues, the estimates of operating and capital expenditures, and the estimates  
11 of borrowings.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TACP objects to Interrogatory No. 7  
14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TACP further objects to Interrogatory No. 7 to the extent that it seeks information  
17 beyond the putative class period.

18 TACP also objects to Interrogatory No. 7 to the extent it seeks information that is not  
19 within TACP's possession, custody, or control and because any such information is equally  
20 accessible to the Plaintiffs as to TACP.

21 TACP further objects to Interrogatory No. 7 to the extent that it calls for information  
22 regarding distinct corporate entities and persons not controlled by TACP.

23 TACP further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which limits  
24 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
26 of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 8:**

State the identity of each individual who paid MTPD's attorney bills for legal services in connection with the investigation of MTPD's alleged involvement in the CRT cartel by government antitrust authorities in Japan, the European Union, and the United States during 2006 through 2012.

**RESPONSE:**

In addition to its General Objections listed above, TACP objects to Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 8 to the extent it seeks information that is not within TACP's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TACP.

TACP further objects to Interrogatory No. 8 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TACP.

TACP further objects to Interrogatory No. 8 to the extent that it seeks information or documents protected by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection, immunity, or rule.

TACP further objects to Interrogatory No. 8 to the extent that it seeks information beyond the putative class period.

TACP further objects to Interrogatory No. 8 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TACP further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 9:**

Identify any Toshiba entity which purchased CRTs manufactured by MTPD from 2003 to 2009.

**RESPONSE:**

In addition to its General Objections listed above, TACP objects to Interrogatory No. 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 9 to the extent it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 9 to the extent it seeks information that is not within TACP's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TACP.

TACP further objects to Interrogatory No. 9 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TACP.

TACP further objects to Interrogatory No. 9 to the extent that it seeks information beyond the putative class period.

TACP further objects to Interrogatory No. 9 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

TACP further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 10:**

For every purchaser identified in Interrogatory No. 9, describe with specificity the pricing mechanism or decision process by which MTPD decided on the price for those sold CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed for non- Toshiba affiliated purchasers of CRTs.

**RESPONSE:**

In addition to its General Objections listed above, TACP objects to Interrogatory No. 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 10 to the extent it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 10 to the extent it seeks information that is not within TACP's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TACP.

TACP further objects to the term "pricing mechanism or decision process" because it is vague.

TACP further objects to Interrogatory No. 10 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TACP.

TACP further objects to Interrogatory No. 10 to the extent that it seeks information beyond the putative class period.

TACP further objects to Interrogatory No. 10 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TACP further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which limits  
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
 4 of Rule 33(a)(1)

5 **INTERROGATORY NO. 11:**

6 List, for each year from 2003 to 2009, the name, term and nature of every service level  
 7 agreement or other contract relating to professional services you entered into with MTPD  
 8 (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human  
 9 resources, accounting and sales support services).

10 **RESPONSE:**

11 In addition to its General Objections listed above, TACP objects to Interrogatory No.  
 12 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TACP also objects to Interrogatory No. 11 to the extent it seeks information that is not  
 15 within TACP's possession, custody, or control and because any such information is equally  
 16 accessible to the Plaintiffs as to TACP.

17 TACP further objects to the terms "service level agreement," and "other contract  
 18 relating to professional services" because they are vague.

19 TACP further objects to Interrogatory No. 11 to the extent that it calls for information  
 20 regarding distinct corporate entities and persons not controlled by TACP.

21 TACP further objects to Interrogatory No. 11 to the extent that it seeks information  
 22 beyond the putative class period.

23 TACP further objects to Interrogatory No. 11 to the extent that it is harassing,  
 24 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
 25 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
 26 information is located.

27 TACP further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which limits  
 28 the number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
 2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 12:**

4 State the date, amount and interest rate (if applicable) of each capital or equity  
 5 injection, loan or other financial contribution you provided to MTPD.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TACP objects to Interrogatory No.  
 8 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TACP also objects to Interrogatory No. 12 to the extent it seeks information that is not  
 11 within TACP's possession, custody, or control and because any such information is equally  
 12 accessible to the Plaintiffs as to TACP.

13 TACP further objects to the terms "capital or equity injection, loan or other financial  
 14 contribution" because they are vague.

15 TACP further objects to Interrogatory No. 12 to the extent that it calls for information  
 16 regarding distinct corporate entities and persons not controlled by TACP.

17 TACP further objects to Interrogatory No. 12 to the extent that it seeks information  
 18 beyond the putative class period.

19 TACP further objects to Interrogatory No. 12 to the extent that it is harassing,  
 20 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
 22 information is located.

23 TACP further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which limits  
 24 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
 25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
 26 of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 13:**

State the date and amount of any guarantees you made on behalf of MPTD, including the third party to whom the guarantee(s) were made.

**RESPONSE:**

In addition to its General Objections listed above, TACP objects to Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TACP also objects to Interrogatory No. 13 to the extent it seeks information that is not within TACP's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TACP.

TACP further objects to Interrogatory No. 13 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TACP.

TACP further objects to the term "guarantee" because it is vague.

TACP further objects to Interrogatory No. 13 because its inclusion of the term "MPTD" renders it vague.

TACP further objects to Interrogatory No. 13 to the extent that it seeks information beyond the putative class period.

TACP further objects to Interrogatory No. 13 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TACP further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**INTERROGATORY NO. 14:**

List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries, coverages and insurance carrier of any directors and officers (D&O) liability insurance

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1 covering board members and executives of MTPD, and identify which company (including  
2 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance  
3 premiums.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TACP objects to Interrogatory No.  
6 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TACP also objects to Interrogatory No. 14 to the extent it seeks information that is not  
9 within TACP's possession, custody, or control and because any such information is equally  
10 accessible to the Plaintiffs as to TACP.

11 TACP further objects to Interrogatory No. 14 to the extent that it calls for information  
12 regarding distinct corporate entities and persons not controlled by TACP.

13 TACP further objects to Interrogatory No. 14 to the extent that it seeks information  
14 beyond the putative class period.

15 TACP further objects to Interrogatory No. 14 to the extent that it is harassing,  
16 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
17 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
18 information is located.

19 TACP also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which limits the  
20 number of interrogatories that may be served by one party on another party to 25 (twenty-  
21 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
22 of Rule 33(a)(1).

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1  
2 Dated: September 5, 2014

WHITE & CASE<sup>LLP</sup>

3  
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**CONFIDENTIAL****CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the “TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS” to be served via e-mail upon:

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# **Exhibit 6-E**

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12 *Counsel to Defendant*13 *Toshiba America Electronic Components, Inc.*

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 (SAN FRANCISCO DIVISION)

17 IN RE: CATHODE RAY TUBE (CRT)  
 18 ANTITRUST LITIGATION

19 Case No. 07-5944 SC  
 20 MDL No. 1917

21 This Document Relates to:

22 ALL INDIRECT PURCHASER ACTIONS

23 **TOSHIBA AMERICA  
 24 ELECTRONIC COMPONENTS,  
 25 INC.'S OBJECTIONS AND  
 26 RESPONSES TO INDIRECT  
 27 PURCHASER PLAINTIFFS'  
 28 FIRST SET OF  
 INTERROGATORIES TO  
 TOSHIBA DEFENDANTS**

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's  
2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court  
3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America  
4 Electronic Components, Inc. ("TAEC") hereby submits the following Objections and  
5 Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories to Toshiba Defendants,  
6 dated August 1, 2014 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the  
8 above caption. Each response is subject to all objections as to relevance, materiality and  
9 admissibility, and to any and all objections on any ground that would require exclusion of any  
10 response if it were introduced in court. All evidentiary objections and grounds are expressly  
11 reserved.

12 Each of the following responses is made on the basis of the information available at  
13 the time of service of the responses. TAEC's responses to these Interrogatories are subject to  
14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the  
15 "Protective Order"). TAEC's responses are hereby designated "Confidential" in accordance  
16 with the provisions of the Protective Order.

### **GENERAL OBJECTIONS**

17  
18 1. TAEC objects to the Interrogatories, including the Definitions and Instructions  
19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case  
20 Management Protocol, Docket number 1128 in the MDL.

21 2. TAEC objects to the Interrogatories, including the Definitions and Instructions  
22 provided therein, to the extent they purport to impose obligations beyond those required or  
23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil  
24 Proceedings before the United States District Court for the Northern District of California or  
25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TAEC objects to the Interrogatories, including the Definitions and Instructions  
27 provided therein, to the extent they call for the production of documents or information that  
28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably  
2 calculated to lead to the discovery of admissible evidence.

3 4. TAEC objects to the Interrogatories, including the Definitions and Instructions  
4 provided therein, to the extent that they are overly broad, unduly burdensome, vague, or  
5 ambiguous. TAEC further objects to the Interrogatories, including the Definitions and  
6 Instructions provided therein, to the extent they purport to seek discovery of information from  
7 disaster recovery systems and archives.

8 5. TAEC objects to the Interrogatories, including the Definitions and Instructions  
9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TAEC objects to the Interrogatories, including the Definitions and Instructions  
11 provided therein, to the extent they call for publicly available information.

12 7. TAEC objects to the Interrogatories, including the Definitions and Instructions  
13 provided therein, to the extent they seek information or documents protected by the attorney-  
14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,  
15 immunity, or rule (collectively, "Privileged Information"). TAEC will not disclose any  
16 Privileged Information in response to any Interrogatory. TAEC does not intend by these  
17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent  
18 production of such material or information is not intended to, and shall not, constitute a  
19 general or specific waiver in whole or in part of those privileges or protections as to material  
20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent  
21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such  
22 document or information.

23 8. TAEC objects to the Interrogatories, including the Definitions and Instructions  
24 provided therein, to the extent they seek information, the disclosure of which would violate  
25 applicable law, including, but not limited to, privacy laws. In providing any response, TAEC  
26 does so only to the extent allowable under applicable law.

27 9. TAEC objects to the Interrogatories, including the Definitions and Instructions  
28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1           10.     TAEC objects to the Interrogatories, including the Definitions and Instructions  
2 provided therein, to the extent they seek documents or information, the disclosure of which is  
3 prohibited by contractual obligations or agreements between TAEC and third parties.

4           11.     TAEC objects to the Interrogatories, including the Definitions and Instructions  
5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of  
6 the costs imposed on TAEC weighed against the Plaintiffs' need for the information.

7           12.     TAEC objects to the Interrogatories, including the Definitions and Instructions  
8 provided therein, to the extent they seek information which is equally accessible to Plaintiffs  
9 as to TAEC, or which has already been produced by other parties.

10          13.     TAEC objects to the Interrogatories, including the Definitions and Instructions  
11 provided therein, to the extent they seek information, the disclosure of which is prohibited by  
12 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the  
13 documents or information are located.

14          14.     TAEC objects to the Interrogatories, including the Definitions and Instructions  
15 provided therein, to the extent they seek disclosure of documents or information that is not  
16 within TAEC's possession, custody, or control.

17          15.     TAEC objects to the Interrogatories, including the Definitions and Instructions  
18 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or  
19 Document Requests.

20          16.     TAEC objects to the Interrogatories pursuant to Civil L.R. 33-2, which states  
21 that "a demand that a party set forth the basis for a denial of an admission requested under  
22 Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is  
23 allowable only to the extent that a party is entitled to propound additional interrogatories."

24          17.     TAEC objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the  
25 number of interrogatories that may be served by one party on another party to 25 (twenty-  
26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
27 of Rule 33(a)(1).  
28

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1           18.     TAEC's response to the Interrogatories is not intended to be, and shall not be  
2 construed as, an agreement or concurrence by TAEC with the Plaintiffs' characterization of  
3 any facts, circumstances, or legal obligations. TAEC reserves the right to contest any such  
4 characterization. TAEC further objects to the Interrogatories to the extent they contain  
5 express or implied assumptions of fact or law with respect to matters at issue in the case.

6           19.     TAEC objects to the definition of "you" and "your" because it is vague, overly  
7 broad and unduly burdensome, as it includes persons not controlled by TAEC, and as it seeks  
8 information that is neither relevant nor reasonably calculated to lead to the discovery of  
9 admissible information and, in addition, improperly purports to seek information from distinct  
10 corporate entities and persons not parties to the case and not controlled by TAEC. TAEC will  
11 interpret these terms to refer to TAEC only. TAEC further objects to the definition of "you"  
12 and "your" to the extent it seeks information or documents protected by the attorney-client  
13 privilege, work product doctrine or any other applicable privilege, protection, immunity, or  
14 rule.

15           20.     TAEC objects to the defined term "relevant time period" to the extent that it  
16 exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad, unduly  
17 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible  
18 evidence. TAEC also objects to the definition of "relevant time period" because it is well  
19 beyond the relevant statute of limitations. TAEC further objects to the term "relevant time  
20 period" to the extent that it seeks documents created after this litigation began. For the  
21 purposes of responding to these Interrogatories, TAEC will interpret the term "relevant time  
22 period" as referring to the "class period" defined in the Complaint, which is March 1, 1995 to  
23 November 25, 2007.

24           21.     TAEC objects to the defined terms "subsidiary," "affiliate," and "joint venture"  
25 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated  
26 to lead to the discovery of admissible evidence.

27           22.     TAEC objects to the defined term "Employee" because it is overly broad,  
28 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of

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1 admissible evidence. TAEC further objects to the defined term "Employee" to the extent that  
 2 it seeks information from distinct persons not parties to the case and not controlled by TAEC.

3 23. Discovery is ongoing. This response is being made after reasonable inquiry  
 4 into the relevant facts, and is based upon the information presently known to TAEC. Further  
 5 investigation and discovery may result in the identification of additional information or  
 6 contentions, and TAEC expressly reserves all rights to amend its responses and objections to  
 7 Indirect Purchaser Plaintiffs' First Set of Interrogatories as necessary. TAEC's responses  
 8 should not be construed to prejudice its right to conduct further investigation in this case, or to  
 9 limit TAEC's use of any additional evidence that may be developed.

10 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

11 **INTERROGATORY NO. 1:**

12 State the name, address, telephone number, and relationship to you of each person  
 13 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not  
 14 identify anyone who simply typed or reproduced the responses.)

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAEC objects to Interrogatory No.  
 17 1 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by  
 18 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have  
 19 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

20 **INTERROGATORY NO. 2:**

21 Identify separately for each year from 2003 to 2009, each of MTPD's board and  
 22 committees, including (a) its full name; (b) a brief description of its function; and (c) all  
 23 members of that board or committee.

24 **RESPONSE:**

25 In addition to its General Objections listed above, TAEC objects to Interrogatory No.  
 26 2 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by  
 27 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have  
 28 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 3:**

Identify, separately for each year from 2003 to 2009 each of MTPD's corporate officers, including the name of each company (including any subsidiary, affiliate, joint venture or other related entity of Toshiba) that employed such individual throughout the Relevant Time Period, his or her title, business address, the division or unit of the company where such individual worked, and a description of his or her responsibilities for each position or title held.

**RESPONSE:**

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 3 to the extent it seeks information that is not within TAEC's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAEC.

TAEC further objects to Interrogatory No. 3 to the extent that it seeks information beyond the putative class period.

TAEC further objects to Interrogatory No. 3 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAEC.

TAEC further objects to Interrogatory No. 3 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba Electronic Components, Inc., and Toshiba America Information Systems, Inc.

TAEC further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 4:**

Separately for each year from 2003 to 2009, identify those employees who transferred (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory, “transferred” means the change of official employment from you to MTPD or vice versa, the change of work duties or job descriptions for the benefit of the other entity, or the relocation to a facility occupied exclusively by the other entity.

**RESPONSE:**

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 4 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 4 to the extent that the term “transferred” is vague.

TAEC further objects to Interrogatory No. 4 to the extent that it seeks information beyond the putative class period.

TAEC further objects to Interrogatory No. 4 to the extent that it is harassing, invasive, or seeks personal confidential information, the disclosure of which is prohibited by a law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAEC further objects to Interrogatory No. 4 to the extent it seeks information that is not within TAEC’s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAEC.

TAEC further objects to Interrogatory No. 4 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAEC.

TAEC further objects to Interrogatory No. 4 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 10 of IPPs and DPPs’ Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAEC further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which limits  
2 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 5:**

6 List the date, nature, and amount of any payments you made from 2003 to 2009 to  
7 individuals who were employed by or worked for MTPD, and describe with specificity  
8 whether such payments occurred directly to the employee, through some social fund or other  
9 entity or governmental program.

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAEC objects to Interrogatory No.  
12 5 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAEC also objects to Interrogatory No. 5 because the term “payment” is vague.

15 TAEC further objects to Interrogatory No. 5 because the terms “social fund,” “other  
16 entity,” and “governmental program” are vague.

17 TAEC further objects to Interrogatory No. 5 to the extent that it seeks information  
18 beyond the putative class period.

19 TAEC further objects to Interrogatory No. 5 to the extent that it is harassing, invasive,  
20 or seeks personal confidential information, the disclosure of which is prohibited by a law,  
21 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
22 information is located.

23 TAEC further objects to Interrogatory No. 5 to the extent it seeks information that is  
24 not within TAEC’s possession, custody, or control and because any such information is  
25 equally accessible to the Plaintiffs as to TAEC.

26 TAEC further objects to Interrogatory No. 5 to the extent that it calls for information  
27 regarding distinct corporate entities and persons not controlled by TAEC.

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1 TAEC further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which limits  
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 6:**

6 For every person identified in Interrogatory Nos. 2 and 3, state, for each year from  
 7 2003 to 2009, as applicable:

- 8 i. The type or nature of any offered or accepted (a) stock option plan or other equity  
 9 incentive plan, (b) bonus or other discretionary periodic payment, and (c) any  
 10 other employee benefits; and  
 11 ii. the identity of each individual or company who set, maintained, funded, or  
 12 administered his or her (a) payroll, (b) bonus or other discretionary periodic  
 13 payment, (c) stock option plan or other equity incentive plan, and (d) any other  
 14 employee benefits.

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAEC objects to Interrogatory No.  
 17 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
 18 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

19 TAEC also objects to Interrogatory No. 6 to the extent that it is harassing, invasive, or  
 20 seeks personal confidential information, the disclosure of which is prohibited by a law,  
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
 22 information is located.

23 TAEC further objects to Interrogatory No. 6 to the extent that it seeks information  
 24 beyond the putative class period.

25 TAEC also objects to Interrogatory No. 6 to the extent it seeks information that is not  
 26 within TAEC's possession, custody, or control and because any such information is equally  
 27 accessible to the Plaintiffs as to TAEC.  
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1 TAEC further objects to Interrogatory No. 6 to the extent that it calls for information  
2 regarding distinct corporate entities and persons not controlled by TAEC.

3 TAEC further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which limits  
4 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 7:**

8 State, for each year from 2003 to 2009, the identity of each individual who approved  
9 or authorized MTPD's corporate operating budget, including, without limitations, the  
10 estimates of revenues, the estimates of operating and capital expenditures, and the estimates  
11 of borrowings.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAEC objects to Interrogatory No.  
14 7 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAEC further objects to Interrogatory No. 7 to the extent that it seeks information  
17 beyond the putative class period.

18 TAEC also objects to Interrogatory No. 7 to the extent it seeks information that is not  
19 within TAEC's possession, custody, or control and because any such information is equally  
20 accessible to the Plaintiffs as to TAEC.

21 TAEC further objects to Interrogatory No. 7 to the extent that it calls for information  
22 regarding distinct corporate entities and persons not controlled by TAEC.

23 TAEC further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which limits  
24 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
26 of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 8:**

State the identity of each individual who paid MTPD's attorney bills for legal services in connection with the investigation of MTPD's alleged involvement in the CRT cartel by government antitrust authorities in Japan, the European Union, and the United States during 2006 through 2012.

**RESPONSE:**

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 8 to the extent it seeks information that is not within TAEC's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAEC.

TAEC further objects to Interrogatory No. 8 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAEC.

TAEC further objects to Interrogatory No. 8 to the extent that it seeks information or documents protected by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection, immunity, or rule.

TAEC further objects to Interrogatory No. 8 to the extent that it seeks information beyond the putative class period.

TAEC further objects to Interrogatory No. 8 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAEC further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 9:**

Identify any Toshiba entity which purchased CRTs manufactured by MTPD from 2003 to 2009.

**RESPONSE:**

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 9 to the extent it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 9 to the extent it seeks information that is not within TAEC's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAEC.

TAEC further objects to Interrogatory No. 9 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAEC.

TAEC further objects to Interrogatory No. 9 to the extent that it seeks information beyond the putative class period.

TAEC further objects to Interrogatory No. 9 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

TAEC further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 10:**

For every purchaser identified in Interrogatory No. 9, describe with specificity the pricing mechanism or decision process by which MTPD decided on the price for those sold CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed for non- Toshiba affiliated purchasers of CRTs.

**RESPONSE:**

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 10 to the extent it seeks information regarding sales outside the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and requesting such information renders Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 10 to the extent it seeks information that is not within TAEC's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAEC.

TAEC further objects to the term "pricing mechanism or decision process" because it is vague.

TAEC further objects to Interrogatory No. 10 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAEC.

TAEC further objects to Interrogatory No. 10 to the extent that it seeks information beyond the putative class period.

TAEC further objects to Interrogatory No. 10 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAEC further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which limits  
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
 4 of Rule 33(a)(1)

5 **INTERROGATORY NO. 11:**

6 List, for each year from 2003 to 2009, the name, term and nature of every service level  
 7 agreement or other contract relating to professional services you entered into with MTPD  
 8 (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human  
 9 resources, accounting and sales support services).

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAEC objects to Interrogatory No.  
 12 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAEC also objects to Interrogatory No. 11 to the extent it seeks information that is not  
 15 within TAEC's possession, custody, or control and because any such information is equally  
 16 accessible to the Plaintiffs as to TAEC.

17 TAEC further objects to the terms "service level agreement," and "other contract  
 18 relating to professional services" because they are vague.

19 TAEC further objects to Interrogatory No. 11 to the extent that it calls for information  
 20 regarding distinct corporate entities and persons not controlled by TAEC.

21 TAEC further objects to Interrogatory No. 11 to the extent that it seeks information  
 22 beyond the putative class period.

23 TAEC further objects to Interrogatory No. 11 to the extent that it is harassing,  
 24 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
 25 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
 26 information is located.

27 TAEC further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which limits  
 28 the number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 12:**

4 State the date, amount and interest rate (if applicable) of each capital or equity  
5 injection, loan or other financial contribution you provided to MTPD.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAEC objects to Interrogatory No.  
8 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAEC also objects to Interrogatory No. 12 to the extent it seeks information that is not  
11 within TAEC's possession, custody, or control and because any such information is equally  
12 accessible to the Plaintiffs as to TAEC.

13 TAEC further objects to the terms "capital or equity injection, loan or other financial  
14 contribution" because they are vague.

15 TAEC further objects to Interrogatory No. 12 to the extent that it calls for information  
16 regarding distinct corporate entities and persons not controlled by TAEC.

17 TAEC further objects to Interrogatory No. 12 to the extent that it seeks information  
18 beyond the putative class period.

19 TAEC further objects to Interrogatory No. 12 to the extent that it is harassing,  
20 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
21 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
22 information is located.

23 TAEC further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which limits  
24 the number of interrogatories that may be served by one party on another party to 25 (twenty-  
25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
26 of Rule 33(a)(1).

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**CONFIDENTIAL****INTERROGATORY NO. 13:**

State the date and amount of any guarantees you made on behalf of MPTD, including the third party to whom the guarantee(s) were made.

**RESPONSE:**

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 13 to the extent it seeks information that is not within TAEC's possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAEC.

TAEC further objects to Interrogatory No. 13 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAEC.

TAEC further objects to the term "guarantee" because it is vague.

TAEC further objects to Interrogatory No. 13 because its inclusion of the term "MPTD" renders it vague.

TAEC further objects to Interrogatory No. 13 to the extent that it seeks information beyond the putative class period.

TAEC further objects to Interrogatory No. 13 to the extent that it is harassing, invasive, or seeks confidential information, the disclosure of which is prohibited by law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAEC further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

**INTERROGATORY NO. 14:**

List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries, coverages and insurance carrier of any directors and officers (D&O) liability insurance

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1 covering board members and executives of MTPD, and identify which company (including  
2 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance  
3 premiums.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAEC objects to Interrogatory No.  
6 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither  
7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAEC also objects to Interrogatory No. 14 to the extent it seeks information that is not  
9 within TAEC's possession, custody, or control and because any such information is equally  
10 accessible to the Plaintiffs as to TAEC.

11 TAEC further objects to Interrogatory No. 14 to the extent that it calls for information  
12 regarding distinct corporate entities and persons not controlled by TAEC.

13 TAEC further objects to Interrogatory No. 14 to the extent that it seeks information  
14 beyond the putative class period.

15 TAEC further objects to Interrogatory No. 14 to the extent that it is harassing,  
16 invasive, or seeks confidential information, the disclosure of which is prohibited by law,  
17 regulation, or order of a court or another authority of a foreign jurisdiction in which the  
18 information is located.

19 TAEC also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which limits the  
20 number of interrogatories that may be served by one party on another party to 25 (twenty-  
21 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit  
22 of Rule 33(a)(1).

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1  
2 Dated: September 5, 2014

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**CONFIDENTIAL****CERTIFICATE OF SERVICE**

On September 5, 2014, I caused a copy of the “TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS” to be served via e-mail upon:

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